



Application

Narrative

Cash Transmittal

Development Standards

# Abandonment

## Development Application Checklist



At your pre-application meeting, your project coordinator will identify which items indicated on this Development Application Checklist are required.

To avoid delays, all documents in your Development Application must be complete and comply with the following:

- The General Plan
- The Scottsdale Revised Code, including the Zoning Ordinance
- Stipulations of any Development Application approved before this application is submitted
- Scenic Corridor Design Guidelines
- Transportation Master Plan and related local plans
- The Design Standards & Policies Manual

A Development Application that does not include all the required items, does not meet the standards above, or is inconsistent with previously submitted pre-application information may not be accepted. A Development Application received by the City does not mean that the application meets the minimum submittal requirements. The City may request additional information to facilitate review, even if the Development Application is deemed complete.

Prior to application submittal, please research original zoning case history to find the original adopted ordinance(s) and exhibit(s) to confirm the zoning for the property. This will help to define your application accurately. The City's full-service Records Department can assist.

When Items 1 through 17 are ready for submittal, call **480-312-7767** to schedule a submittal meeting with a Planning Specialist; provide your pre-application number: 391-PA-2018.

### SUBMITTAL REQUIREMENTS

Req'd	Rec'd	Documents required for a complete application. Unless otherwise indicated, all documents shall be provided in an 8 1/2" x 11" format.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1. Abandonment Development Application Checklist (this Checklist)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	2. Application Fee \$ <u>2,385.00</u> (subject to change)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	3. Development Application Form (form provided)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	4. Application Narrative <ul style="list-style-type: none"> <li>• Reason for request</li> <li>• Consideration for Abandonment</li> <li>• ④ copies</li> <li>• ① digital copy</li> </ul>

### Planning and Development Services

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## Abandonment Development Application Checklist

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>5. Affidavit of Authorization to Act for Property Owner</b> (form provided; required only for non-city-owned property) <ul style="list-style-type: none"> <li>• Required when the applicant is not the property owner</li> <li>• Required when the applicant is an organization</li> </ul>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>6. Consideration for Abandonment Information</b> (valuation for area of abandonment)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>7. Legal Description and Graphic of Area(s) to be Abandoned</b> <ul style="list-style-type: none"> <li>• Include required reservations on both legal description and graphic</li> <li>• Comply with all Maricopa County Recorder requirements, including minimum 10-point font, ½" clear borders and acid free paper</li> <li>• <u>2</u> copies</li> <li>• ① digital copy</li> </ul>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>8. Title Insurance Commitment</b> (form provided: Requirements for Submitting Evidence of Title to the City of Scottsdale Planning Department) <ul style="list-style-type: none"> <li>• Include Schedule A and B</li> <li>• Commitment shall be dated no later than 30 days before application submittal.</li> </ul>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>9. Utility Consent Letters</b> (See the City website for contact information: <a href="http://www.ScottsdaleAZ.gov">www.ScottsdaleAZ.gov</a> and search: utility contact)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>10. Request to Submit Concurrent Development Applications</b> (form provided)
<input type="checkbox"/>	<input type="checkbox"/>	<div style="display: flex; align-items: center;"> <div style="width: 40px; text-align: center; color: green; font-weight: bold; font-size: 1.2em;">N/A</div> <div> <b>11. Photo Exhibit of Existing Conditions: Printed digital photos on 8-1/2"x11" Paper</b> <ul style="list-style-type: none"> <li>• 8-1/2" x 11" - ① copies of the set of prints</li> <li>• <u>See attached Existing Conditions Photo Exhibit</u> graphic showing required photograph locations and numbers.</li> <li>• 8-1/2" x 11" - ⑪ copies of the set of prints (<b>Delayed submittal</b>). At the time your Project Coordinator is preparing the public hearing report(s), he/she will request these items, and they are to be submitted by the date indicated in the request.</li> </ul> </div> </div>
<input type="checkbox"/>	<input type="checkbox"/>	<div style="display: flex; align-items: center;"> <div style="width: 40px; text-align: center; color: green; font-weight: bold; font-size: 1.2em;">N/A</div> <div> <b>12. Aerial Photo with Proposed Site Plan Overlay</b> (all photos must be suitable for reproduction) <ul style="list-style-type: none"> <li>• 24" x 36" - ② color copies, <u>folded</u></li> <li>• 11" x 17" - ① color copy, <u>folded</u></li> <li>• 8 ½" x 11" - ① color copy</li> </ul> <p>Photo shall be the most recent available, and should not be more than 1 year old.</p> <p>Site plan overlay shall show lot lines, tracts, easements, street locations and names, and surrounding zoning:</p> <div style="margin-left: 20px;"> <input type="checkbox"/> 750 foot radius from site  <input type="checkbox"/> ¼ mile radius from site  <input type="checkbox"/> Other _____ radius from site </div> </div> </div>

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# Abandonment Development Application Checklist

<input checked="" type="checkbox"/> <input type="checkbox"/> N/A	<b>13. Public Participation</b> <b>Step 1: Complete Neighborhood Notification</b> <ul style="list-style-type: none"> <li>Mail Neighborhood Notification 1st Class Letter to property owners &amp; HOAs within 750', the City's standard interested parties list, and to the City project coordinator at least 10 calendar days prior to formal application submittal (include the following information): <ul style="list-style-type: none"> <li>Project request and description</li> <li>Pre-application number (xx-PA-xxxx)</li> <li>Project location (street address)</li> <li>Size (e.g. Number of Acres of project, Square Footage of Lot)</li> <li>Zoning</li> <li>Legal graphic</li> <li>Applicant and City contact names and phone numbers</li> </ul> </li> </ul> <b>Step 2: City will post public hearing signs and provide other public notification including:</b> <ul style="list-style-type: none"> <li>Mailing out postcards to property owners within 750 feet</li> <li>Publishing legal ad in newspaper</li> <li>Posting case information on the City website</li> <li>Posting on social media</li> <li>Sending to email subscribers</li> </ul>
<input type="checkbox"/> <input type="checkbox"/> N/A	<b>14. Request for Neighborhood Group/Homeowners Association (form provided)</b>
<input checked="" type="checkbox"/> <input type="checkbox"/>	<b>15. Request for Site Visits and/or Inspections (form provided)</b>
<input type="checkbox"/> <input type="checkbox"/> N/A	<b>16. Applicable Dedication Legal and Graphic Exhibits</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Drainage and Flood Control Easement and Provision for Maintenance</li> <li><input type="checkbox"/> Natural Area Open Space Easement Including Restored Desert</li> <li><input type="checkbox"/> Public Right-of-way Dedication</li> <li><input type="checkbox"/> Public Non-motorized Access Easement</li> <li><input type="checkbox"/> Public motorized Access</li> <li><input type="checkbox"/> Public Utility Easement</li> <li><input type="checkbox"/> Scenic Corridor Easement</li> <li><input type="checkbox"/> Sewer Line Easement</li> <li><input type="checkbox"/> Vehicular Non-Access Easement</li> <li><input type="checkbox"/> Waterline Easement</li> <li><input type="checkbox"/> Confirmation of Dedication</li> <li><input type="checkbox"/> Other Easement or Dedication:</li> </ul> <hr/> <ul style="list-style-type: none"> <li>_____ copies</li> <li>① digital copy</li> </ul>

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## Abandonment Development Application Checklist

<input type="checkbox"/>	<input type="checkbox"/>	17. Other:   
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If you have any questions regarding this application checklist, please contact your Project Coordinator.

Coordinator Name (print): BRYAN CLUFF Phone Number: 480-312-2258

Coordinator email: bcluff @scottsdaleaz.gov Date: 11/14/18

Coordinator Signature: 

If the Project Coordinator is no-longer available, please contact the Current Planning Director at the phone number in the footer of this page if you have any question regarding this application checklist.

This application needs a: ☒ New Project Number, or  
☐ A New Phase to an old Project Number: \_\_\_\_\_

### Required Notice

Pursuant to A.R.S. §9-836, an applicant/agent may request a clarification from the City regarding an interpretation or application of a statute, ordinance, code or authorized substantive policy, or policy statement. Requests to clarify an interpretation or application of a statute, ordinance, code, policy statement administered by the Planning and Development Services, including a request for an interpretation of the Zoning Ordinance, shall be submitted in writing to the One Stop Shop to the attention of the Planning and Development Services Director. All such requests must be submitted in accordance with the A.R.S. §9-839 and the City's applicable administrative policies available at the Planning and Development Services' One Stop Shop, or from the city's website: <http://www.scottsdaleaz.gov/building-resources/forms>

Planning and Development Services

One Stop Shop

Planning and Development Services Director

7447 E. Indian School Rd, Suite 105

Scottsdale, AZ 85251

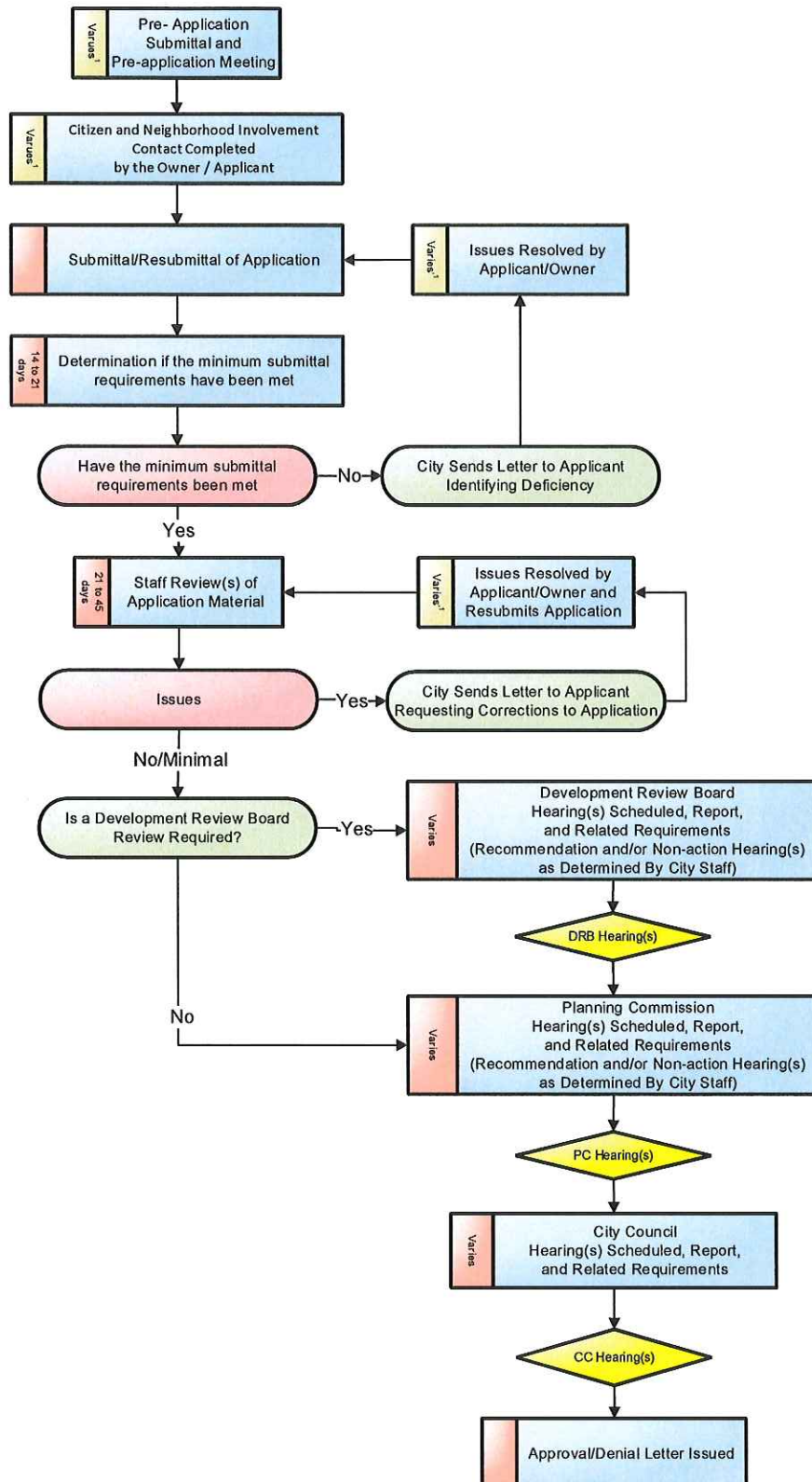
Phone: (480) 312-7000

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# Development Application Process

Abandonment (AB), Municipal Use Master Site Plan (UP), Infill Incentive (II), & Zoning District Map Amendment (ZN)



Note:

1. Time period determined by owner/applicant.

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# Development Application



**Development Application Type:**  
Please check the appropriate box of the Type(s) of Application(s) you are requesting

Zoning	Development Review	Land Divisions
<input type="checkbox"/> Rezoning (ZN)	<input type="checkbox"/> Development Review (Major) (DR)	<input type="checkbox"/> Subdivision (PP)
<input type="checkbox"/> In-fill Incentive (II)	<input type="checkbox"/> Development Review (Minor) (SA)	<input type="checkbox"/> Subdivision (Minor) (MD)
<input type="checkbox"/> Conditional Use Permit (UP)	<input type="checkbox"/> Wash Modification (WM)	<input type="checkbox"/> Land Assemblage
<input type="checkbox"/> Text Amendment (TA)	<input type="checkbox"/> Historic Property (HP)	<b>Other</b>
<input type="checkbox"/> Development Agreement (DA)	<b>Wireless Communication Facilities</b>	<input type="checkbox"/> Annexation/De-annexation (AN)
<b>Exceptions to the Zoning Ordinance</b>	<input type="checkbox"/> Small Wireless Facilities (SW)	<input type="checkbox"/> General Plan Amendment (GP)
<input type="checkbox"/> Minor Amendment (MN)	<input type="checkbox"/> Type 2 WCF DR Review Minor (SA)	<input type="checkbox"/> In-Lieu Parking (IP)
<input type="checkbox"/> Hardship Exemption (HE)	<b>Signs</b>	<input checked="" type="checkbox"/> Abandonment (AB)
<input type="checkbox"/> Variance/Accommodation/Appeal (BA)	<input type="checkbox"/> Master Sign Program (MS)	<b>Other Application Type Not Listed</b>
<input type="checkbox"/> Special Exception (SX)	<input type="checkbox"/> Community Sign District (MS)	<input type="checkbox"/> Other: _____

Project Name: Museum Square

*Abandonment*

Property's Address: 2nd Street & Marshall Way

Property's Current Zoning District Designation:

The property owner shall designate an agent/applicant for the Development Application. This person shall be the owner's contact for the City regarding this Development Application. The agent/applicant shall be responsible for communicating all City information to the owner and the owner application team.

Owner: Bill Borders	Agent/Applicant: John Berry / Michele Hammond
Company: ARC Scottsdale Holdings LLLP	Company: Berry Riddell
Address: 3225 N. Central Ave #100, Phx, AZ	Address: 6750 E. Camelback, #100, Scottsdale, AZ 85251
Phone: 480-315-1108 Fax:	Phone: 480-385-2727 Fax:
E-mail: <i>bborders@arc-az.com</i>	E-mail: <i>jbe@berryriddell.com/mhe@berryriddell.com</i>
Designer: Jeff Denzak	Engineer: Ali Fakih
Company: Swaback Partners	Company: SEG Sustainability Engineering Group
Address: 7550 E. McDonald Dr, Scottsdale, AZ 85250	Address: 8280 E. Gelding Drive, Scottsdale, AZ 85260
Phone: 480-367-2100 Fax:	Phone: 480-588-7226 Fax:
E-mail: <i>jdenzak@swaback.com</i>	E-mail: <i>ali@azseg.com</i>

Please indicate in the checkbox below the requested review methodology (please see the descriptions on page 2).

- This is not required for the following Development Application types: AN, AB, BA, II, GP, TA, PE and ZN. These applications<sup>1</sup> will be reviewed in a format similar to the Enhanced Application Review methodology.



**Enhanced Application Review:**

I hereby authorize the City of Scottsdale to review this application utilizing the Enhanced Application Review methodology.



**Standard Application Review:**

I hereby authorize the City of Scottsdale to review this application utilizing the Standard Application Review methodology.

*(See letter of authorization)*  
Owner Signature

*Michele Hammond*  
Agent/Applicant Signature

Official Use Only

Submittal Date:

Development Application No.:

## Planning and Development Services

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Development Application

Page 1 of 3

Revision Date: 5/10/2018



May 14, 2018

*Via Hand-Delivery with Application, to:*

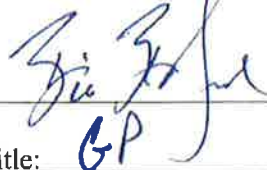
City of Scottsdale  
Planning & Development Services Department  
7447 East Indian School Road, Suite 105  
Scottsdale, Arizona 85251

***Re: Letter of Authorization – Museum Square***

To Whom It May Concern:

This letter authorizes the firms and companies of Berry Riddell, Swaback Partners, SEG Engineering, J2 Design & Environmental Design, and Technical Solutions to represent and act on behalf of **ARC Scottsdale Holdings LLLP** in connection with the Zoning and Development Review Board applications as well as any related City matters/applications for the property located at E. 2<sup>nd</sup> Street and N. Marshall Way (APN: 130-12-164A, 130-12-165A, 130-12-166A and 130-12-169B) in the City of Scottsdale, Maricopa County, Arizona.

**ARC Scottsdale Holdings LLLP**

  
\_\_\_\_\_  
Title: GP

# Museum Square Abandonment Application

**391-PA-2018**

Associated Cases: 13-ZN-2018

## *Project Narrative*



### **Prepared by:**

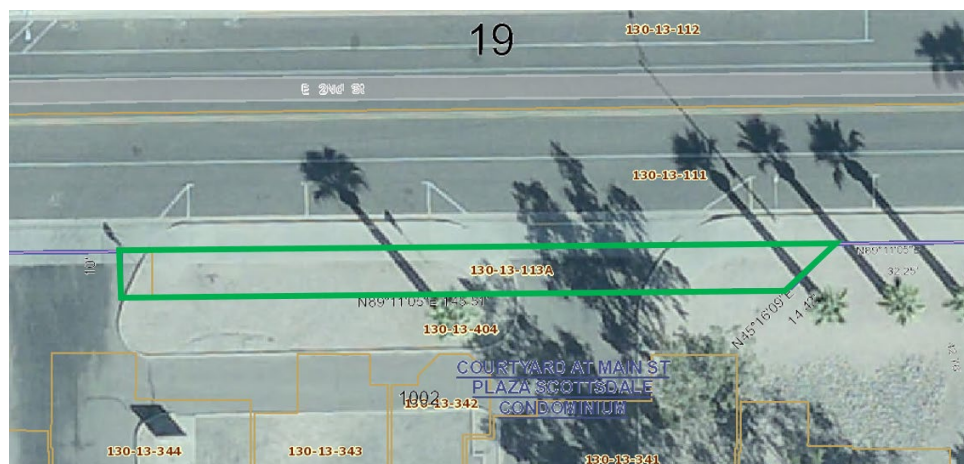
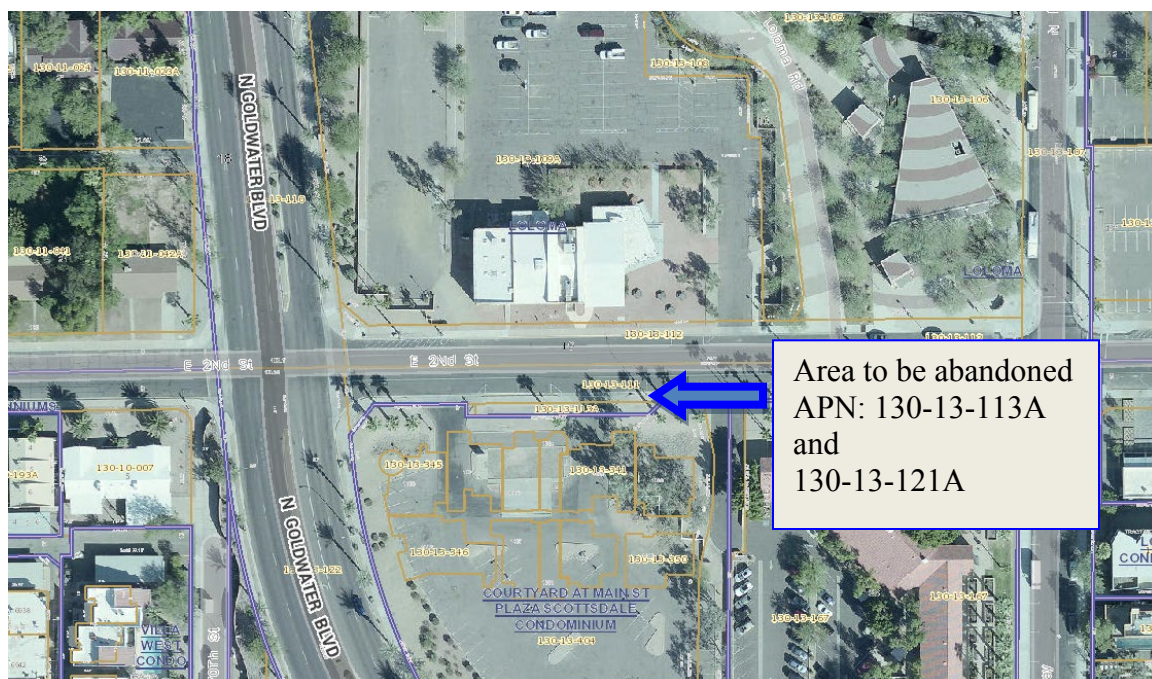
**Berry Riddell, LLC**

6750 East Camelback Road, Suite 100  
Scottsdale, Arizona 85251  
480-385-2727

## I. Abandonment Request

Accompanying the rezoning request for Museum Square located at 1<sup>st</sup> Street and Marshall, this request is for the abandonment of a segment of right-of-way located along the southern edge of 2<sup>nd</sup> Street. The right-of-way segment is approximately 1,506 s.f. (APN 130-13-113A and 130-13-121A). The purpose of the abandonment is to allow for the proposed redevelopment to utilize the remnant right-of-way and clean up the street alignment consistent with the remainder of 2<sup>nd</sup> Street. Utility companies have been contacted regarding the proposed abandonment (APS, Century Link, COS, Cox, SW Gas). Correspondence is included with the application documents.

### *Context Aerials*

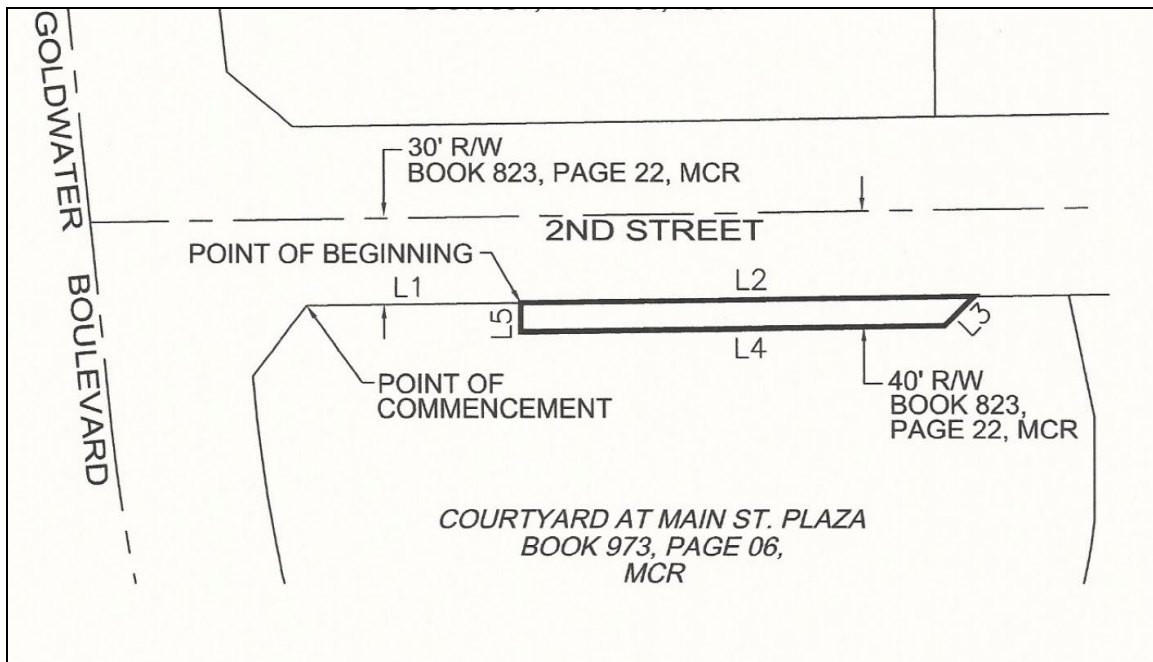




## **II.Consideration for Abandonment**

Once the consideration terms are determined between the developer and the City, as part of the PSA for the Property, it will be memorialized in a Development Agreement.

### ***Abandonment Exhibit***





## Request To Submit Concurrent Development Applications

### Acknowledgment and Agreement

The City of Scottsdale recognizes that a property owner may desire to submit concurrent development applications for separate purposes where one or more the development applications are reliant upon the approval of another development application. City Staff may agree to process concurrently where one or more the development applications are reliant upon the approval of another development application upon receipt of a complete form signed by the property owner.

Development Application Types		
Please check the appropriate box of the types of applications that you are requesting to submit concurrently		
Zoning	Development Review	Signs
<input type="checkbox"/> Text Amendment (TA)	<input type="checkbox"/> Development Review (Major) (DR)	<input type="checkbox"/> Master Sign Program (MS)
<input type="checkbox"/> Rezoning (ZN)	<input type="checkbox"/> Development Review (Minor) (SA)	<input type="checkbox"/> Community Sign District (MS)
<input type="checkbox"/> In-fill Incentive (II)	<input type="checkbox"/> Wash Modification (WM)	Other
<input type="checkbox"/> Conditional Use Permit (UP)	<input type="checkbox"/> Historic Property (HP)	<input type="checkbox"/> Annexation/De-annexation (AN)
Exemptions to the Zoning Ordinance	Land Divisions (PP)	<input type="checkbox"/> General Plan Amendment (GP)
<input type="checkbox"/> Hardship Exemption (HE)	<input type="checkbox"/> Subdivisions	<input type="checkbox"/> In-Lieu Parking (IP)
<input type="checkbox"/> Special Exception (SX)	<input type="checkbox"/> Condominium Conversion	<input type="checkbox"/> Abandonment (AB)
<input type="checkbox"/> Variance (BA)	<input type="checkbox"/> Perimeter Exceptions	Other Application Type Not Listed
<input type="checkbox"/> Minor Amendment (MA)	<input type="checkbox"/> Plat Correction/Revision	<input type="checkbox"/>

Owner:

Company:

Address:

Phone:

Fax:

E-mail:

As the property owner, by providing my signature below, I acknowledge and agree: 1) that the concurrent development applications are processed at the property owner's risk; 2) to hold the City harmless of all cost, expense, claims, or other liability arising in connection with the concurrent development applications; 3) to the City of Scottsdale's Substantive Policy Statement pertaining to Concurrent Applications that states that a concurrent development application that is reliant on a decision of separate development application and is submitted at the risk of the property owner, is not considered to be subject to the provisions and timeframes of the Regulatory Bill of Rights (A.R.S. §9-831 – 9-840); and 4) that upon completion of the City review(s) of the development application(s), the development application(s) may not be approved.

Property owner (Print Name):

Title:

Signature

Date:

Official Use Only:

Submittal Date:

Request: ☐ Approved or ☐ Denied

Staff Name (Print):

Staff Signature:

Date:

Planning, Neighborhood & Transportation Division

7447 East Indian School Road Suite 105, Scottsdale, Arizona 85251 Phone: 480-312-7000 Fax: 480-312-7088

City of Scottsdale's Website: [www.scottsdaleaz.gov](http://www.scottsdaleaz.gov)

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Revision Date: 01/25/2013

1-AB-2019  
01/24/19



## Request for Site Visits and/or Inspections Development Application (Case Submittals)

This request concerns all property identified in the development application.

Pre-application No: 391 - PA - 2018

Project Name: Museum Square

Project Address: 1st Street & Marshall Way

### STATEMENT OF AUTHORITY:

1. I am the owner of the property, or I am the duly and lawfully appointed agent of the property and have the authority from the owner to sign this request on the owner's behalf. If the land has more than one owner, then I am the agent for all owners, and the word "owner" refer to them all.
2. I have the authority from the owner to act for the owner before the City of Scottsdale regarding any and all development application regulatory or related matter of every description involving all property identified in the development application.

### STATEMENT OF REQUEST FOR SITE VISITS AND/OR INSPECTIONS

1. I hereby request that the City of Scottsdale's staff conduct site visits and/or inspections of the property identified in the development application in order to efficiently process the application.
2. I understand that even though I have requested the City of Scottsdale's staff conduct site visits and/or inspections, city staff may determine that a site visit and/or an inspection is not necessary, and may opt not to perform the site visit and/or an inspection.

Property owner/Property owners agent: \_\_\_\_\_

Bill GORDERS

Print Name

[Signature]

Signature

### City Use Only:

Submittal Date: \_\_\_\_\_ Case number: \_\_\_\_\_

### Planning, Neighborhood & Transportation Division

7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 ♦ Phone: 480-312-7000 ♦ Fax: 480-312-7088

Rev. 9/2012

1-AB-2019  
01/24/19